

Express Mail No.: EL390998869US

Date of Deposit: December 15, 1999

PATENT APPLICATION
Attorney Docket No. 19904-002 (BREESE-2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Piechaczyk & Noel
SERIAL NO:	09/341,894
INTERNATIONAL FILING DATE:	January 16, 1998
ASSIGNEE:	Centre National de la Recherche Scientifique
FOR:	BIOLOGICAL MATERIAL FOR TREATING A MAMMAL BY ANTIBODY GENE TRANSFER AND PHARMACEUTICAL COMPOSITION CONTAINING SAME

Assistant Commissioner for Patents
Washington, D.C. 20231

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original and joint inventor of the subject matter which is claimed and for which a utility patent is sought on the invention entitled:

**BIOLOGICAL MATERIAL FOR TREATING A MAMMAL BY ANTIBODY GENE
TRANSFER AND PHARMACEUTICAL COMPOSITION CONTAINING SAME**

the specification of which was filed on July 20, 1999, as United States national stage patent application 09/341,894.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

INVENTORS: Piechaczyk & Noel
SERIAL NO: 09/341,894

CLAIM OF PRIORITY

- ☒ I hereby claim the foreign priority benefit under Title 35, United States Code, § 119(a)-(d) of the foreign patent application listed below.

<u>FR 97/00540</u>	<u>France</u>	<u>January 20, 1997</u>
(Number)	(Country)	(Filing Date)

- ☒ I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application, or § 365(c) of any PCT International application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PCT International Applications designative the United States:

<u>PCT/FR98/00081</u>	<u>January 16, 1998</u>	<u>National Stage</u>
(PCT Application No.)	(PCT Filing Date)	(Status)

INVENTORS: Piechaczyk & Noel
SERIAL NO: 09/341,894

POWER OF ATTORNEY

I hereby appoint the following practitioners, all at MINTZ LEVIN, to prosecute this application and transact all business in the U.S. PATENT & TRADEMARK OFFICE connected therewith.

Attorney or Agent	Registration No.	Attorney or Agent	Registration No.
David B. Bernstein	<u>32,112</u>	John T. Prince	<u>43,091</u>
David F. Crosby	<u>36,400</u>	Brian Rosenbloom	<u>41,276</u>
Brett N. Dorny	<u>35,860</u>	Thomas M. Sullivan	<u>39,392</u>
Ivor R. Elrifi	<u>39,529</u>	Howard Susser	<u>33,556</u>
John A. Harre	<u>37,345</u>	Martin M. Zoltick	<u>35,745</u>
William Marino	<u>44,219</u>	Kristin E. Konzak	<u>P-44,848</u>
Leslie Meyer-Leon	<u>37,381</u>	Carol H. Peters	<u>P-45,010</u>
A. Jason Mirabito	<u>28,161</u>	Garfield B. Simms	<u>P-45,109</u>
Michel Morency	Limited Recognition	Shelby J. Walker	<u>P-45,192</u>

Address all telephone calls to **Ivor R. Elrifi** at telephone number 617 348-1747. Address all correspondence to:

Ivor R. Elrifi
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, MA 02111

INVENTORS: Piechaczyk & Noel
SERIAL NO: 09/341,894

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

1 - 00
Inventor's Signature

Full Name of Inventor:

Marc Piechaczyk

Citizenship:

France

Residence:

123, rue des Erables, F-34980 Saint Gély du Fesc, FRANCE *FLX*

Post Office Address:

123, rue des Erables, F-34980 Saint Gély du Fesc, FRANCE

November 3rd, 99
Date

2 - 00
Inventor's Signature

Full Name of Inventor:

Danièle Noel

Citizenship:

France

Residence:

8, rue Yves Montand, F-34830 Clapiers FRANCE *FLX*

Post Office Address:

8, rue Yves Montand, F-34830 Clapiers FRANCE

November 3rd, 99
Date

61069
USA

Express Mail No.: EL390998869US

Date of Deposit: December 15, 1999

PATENT APPLICATION
Attorney Docket No. 19904 (BREESE- 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PIECHACZYK et al.

SERIAL NO: 09/341,894

INTERNATIONAL
FILING DATE: January 16, 1999.

ASSIGNEE: Centre National de la Recherche Scientifique

FOR: BIOLOGICAL MATERIAL FOR TREATING A MAMMAL BY ANTIBODY
GENE TRANSFER AND PHARMACEUTICAL COMPOSITION CONTAINING
SAME

Box PCT

Assistant Commissioner for Patents
Washington, D.C. 20231

Paris FRANCE

**STATEMENT CLAIMING SMALL ENTITY STATEMENT
UNDER 37 C.F.R. §§ 1.9(e) and 1.27(b) – NON-PROFIT ORGANIZATION**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE, at 3, rue Michel-Ange 75794 PARIS cedex 16 - FRANCE, a nonprofit scientific institution under statute of FRANCE.

I hereby state that the CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE qualifies as a nonprofit organization, as defined in 37 C.F.R. § 1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office under 35 U.S.C. §§ 41(a) and (b), with regard to the invention described in the above-identified application.

I hereby state that rights under contract or law have been conveyed to, and remain with, CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE, with regard to the above identified invention.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of

61064
USA

INVENTORS: PIECHACZYK et al.
SERIAL No: 09/341,894

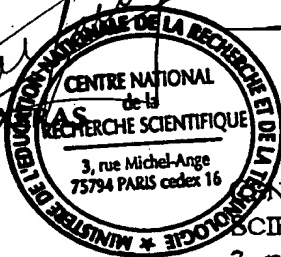
paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing:

L'Adjoint au Délégué
aux Brevets

Joseph BAIKAS



CENTRE NATIONAL DE LA RECHERCHE
SCIENTIFIQUE
3, rue Michel-Ange
75794 PARIS cedex 16
FRANCE

Date: 28 octobre, 1999

TRADOCS: 1246380.1 (app_011.doc)
09/26/99 17:57